

## SEVENTEENTH DAY.

(Tuesday, September 18, 1917.)

The House met at 9:30 o'clock a. m.  
pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Baker.	Miller of Dallas.
Beard of Milam.	Moore.
Beasley.	Morris.
Beason.	Murrell.
Bedell.	Neeley.
Bell.	Neill.
Bertram.	O'Banion.
Blackmon.	Osborne.
Bledsoe.	Peyton.
Bryan.	Pillow.
Bryant.	Raiden.
Burton of Rusk.	Reeves.
Butler.	Richards.
Cadenhead.	Robertson.
Carlock.	Russell.
Clark.	Sackett.
Cope.	Sallas.
Cox.	Sentell.
Crudgington.	Schlosshan.
Davis of Dallas.	Scholl.
Davis of Grimes.	Seawright.
Davis	Sholars.
of Van Zandt.	Smith of Bastrop.
De Bogory.	Smith of Hopkins.
Denton.	Smith of Scurry.
Dodd.	Spencer of Wise.
Dudley.	Spradley.
Dunnam.	Stewart.
Estes.	Strayhorn.
Fairchild.	Swope.
Fisher.	Taylor.
Fitzpatrick.	Templeton.
Fly.	Terrell.
Greenwood.	Thomas.
Haidusek.	Thomason
Hardey.	of El Paso.
Harris.	Thompson
Hill.	of Hunt.
Holaday.	Thomason
Holland.	of Nacogdoches.
Hudspeth.	Thompson
Johnson.	of Red River.
Jones.	Tillotson.
Laas.	Tilson.
Lacey.	Trayler.
Lanier.	Veatch.
Lee.	Walker.
Lindemann.	White.
McComb.	Williford.
McDowra.	Wilson.
McFarland.	Williams
McMillin.	of Brazoria.
Meador.	Woods.
Mendell.	Woodul.
Metcalfe.	Yantis.

## Absent.

Bagby.	Nichols.
Beard of Harris.	O'Brien.
Blackburn.	Peddy.
Florer.	Rogers.
Hartman.	Spencer of Nolan.
Hawkins.	Tinner.
Lange.	Upchurch.
Lowe	Valentine.
of McMullen.	Wahrmund.
Low	
of Washington.	

## Absent—Excused.

Blalock.	Monday.
Bland.	Nordhaus.
Brown.	Parks.
Burton of Tarrant.	Poage.
Canales.	Pope.
Cates.	Roemer.
Laney.	Schlesinger.
McCoy.	Tschoepe.
Martin.	Williams
Miller of Austin.	of McLennan.

The Speaker announced a quorum present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Roemer, for yesterday and balance of this week, on motion of Mr. Lanier.

Mr. Parks, for yesterday and today, on motion of Mr. Lee.

Mr. Thomason of El Paso, for yesterday, on motion of Mr. Dudley.

Mr. Burton of Tarrant, for today, on motion of Mr. Walker.

Mr. Schlesinger, for yesterday and today, on motion of Mr. Scholl.

Mr. Laney, indefinitely, on motion of Mr. Miller of Dallas.

Mr. Tschoepe, indefinitely, on motion of Mr. Fitzpatrick.

## TO SECURE NAMES OF ALIENS.

Mr. Robertson offered the following resolution:

Whereas, Certain county defense committees in this State desire to get the names of all aliens employed in the various State departments and institutions; therefore, be it

Resolved by the House of Representatives of the Legislature of Texas, That the managers, superintendents and heads of all State departments, commissions, institutions, universities, colleges and

schools be, and they are hereby authorized and directed to give to any of the county defense committees in this State or the chairmen thereof, the names of all aliens employed in such department, commission, institution, university, college or school.

The resolution was read second time and was adopted.

#### RELATING TO INVESTIGATION OF STATE DEPARTMENTS, ETC.

The Speaker laid before the House as unfinished business the motion by Mr. Bertram to reconsider the vote by which the resolution providing for a committee to investigate the State departments and institutions was adopted and to table the motion to reconsider.

Question—Shall the motion to table prevail?

Yeas and nays were demanded and the motion to table was lost by the following vote:

Yeas—25.

Bedell.	Meador.
Bertram.	Miller of Dallas.
De Bogory.	Moore.
Denton.	Morris.
Fairchild.	Sallas.
Fisher.	Scholl.
Fitzpatrick.	Sholars.
Greenwood.	Spradley.
Harris.	Swope.
Holland.	Thompson
Jones.	of Red River.
Lanier.	White.
McFarland.	Woodul.

Nays—76.

Baker.	Dunnam.
Beard of Milam.	Estes.
Beasley.	Fly.
Beason.	Haidusek.
Bell.	Hardey.
Blackmon.	Hill.
Bryan.	Holaday.
Bryant.	Hudspeth.
Burton of Rusk.	Johnson.
Butler.	Laas.
Cadenhead.	Lacey.
Clark.	Lee.
Cope.	Lindemann.
Cox.	McComb.
Crudgington.	McDowra.
Davis of Dallas.	McMillin.
Davis of Grimes.	Mendell.
Davis	Metcalf.
of Van Zandt.	Murrell.
Dodd.	Neeley.
Dudley.	Neill.

O'Banion.	Templeton.
Osborne.	Terrell.
Peyton.	Thomas.
Pillow.	Thomason
Raiden.	of El Paso.
Reeves.	Thomason
Richards.	of Nacogdoches.
Robertson.	Thompson
Russell.	of Hunt.
Sackett.	Tillotson.
Sentell.	Tilson.
Schlosshan.	Trayler.
Seawright.	Veatch.
Smith of Bastrop.	Walker.
Smith of Hopkins.	Williams
Smith of Scurry.	of Brazoria.
Spencer of Wise.	Williford.
Stewart.	Wilson.
Strayhorn.	Yantis.
Taylor.	

Present—Not Voting.

Bledsoe.	Woods.
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Absent.

Bagby.	Low
Beard of Harris.	of Washington.
Blackburn.	Nichols.
Carlock.	O'Brien.
Florer.	Peddy.
Hartman.	Rogers.
Hawkins.	Spencer of Nolan.
Lange.	Tinner.
Lowe	Upchurch.
of McMullen.	Valentine.
	Wahrmund.

Absent—Excused.

Blalock.	Monday.
Bland.	Nordhaus.
Brown.	Parks.
Burton of Tarrant.	Poage.
Canales.	Pope.
Cates.	Roemer.
Laney.	Schlesinger.
McCoy.	Tschoepe.
Martin.	Williams
Miller of Austin.	of McLennan.

Question then recurring on the motion to reconsider, it prevailed.

Question—Shall the resolution be adopted?

Mr. Cope offered the following amendment to the resolution:

Amend the resolution by providing that the sub-committee shall consist of two members each from the House.

Signed—Cope, McMillin.

Mr. Cope moved the previous question on the amendment and the resolution and the motion was not seconded.

Mr. Davis of Van Zandt offered the following substitute for the amendment:

Amend Section 1 so as to read as follows:

"Section 1. That a central committee be and the same is hereby created by the House of Representatives, to be composed of eleven members of the House appointed by the Speaker."

Amend Section 2 to hereafter read as follows:

"Section 2. That eleven subcommittees be and they are hereby created by the House of Representatives, such subcommittees to be numbered from 1 to 11, inclusive, to be composed, each, of one member of the central executive committee, who shall be chairman of such subcommittee and of one other member of the House to be appointed by the Speaker."

Question first recurring on the substitute, it was lost.

Mr. Miller of Dallas offered the following substitute for the amendment:

Substitute by striking out "ten" wherever it occurs and make it "eleven," appointed by the Speaker, and strike out all of Section 2.

Signed—Miller of Dallas, Mendell.

Mr. O'Banion raised a point of order on consideration of the substitute on the ground that the House has already voted down an amendment containing the same subject matter.

(Mr. Mendell in the chair.)

The Speaker overruled the point of order.

Mr. Cope moved to table the substitute.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—50.

Baker.	Johnson.
Beard of Milam.	Lacey.
Beasley.	Lee.
Bedell.	McComb.
Bertram.	McDowra.
Blackmon.	McMillin.
Burton of Rusk.	Meador.
Cadenhead.	Metcalfe.
Clark.	Neeley.
Cope.	Neill.
Davis of Dallas.	O'Banion.
Davis of Grimes.	Peyton.
Denton.	Pillow.
Dunnam.	Raiden.
Estes.	Reeves.
Fairchild.	Russell.
Fitzpatrick.	Sackett.
Hardey.	Sentell.
Holaday.	Schlosshan.

Seawright.	Terrell.
Sholars.	Tilson.
Smith of Bastrop.	Tinner.
Smith of Hopkins.	Trayler.
Smith of Scurry.	Williford.
Stewart.	Wilson.

Nays—43.

Bell.	Osborne.
Bledsoe.	Richards.
Bryant.	Robertson.
Butler.	Sallas.
Carlock.	Scholl.
Cox.	Spradley.
Crudgington.	Strayhorn.
Davis	Swope.
of Van Zandt.	Taylor.
De Bogory.	Templeton.
Dodd.	Thomas.
Dudley.	Thomason
Fly.	of El Paso.
Haidusek.	Thompson
Harris.	of Hunt.
Holland.	Thompson
Hudspeth.	of Red River.
Laas.	Tillotson.
Lanier.	Veatch.
Lindemann.	Walker.
McFarland.	White.
Mendell.	Williams
Miller of Dallas.	of Brazoria.
Morris.	Yantis.

Present—Not Voting.

Beason.	Spencer of Wise.
Bryan.	Woods.
Murrell.	

Absent.

Bagby.	Low
Beard of Harris.	of Washington.
Blackburn.	Moore.
Fisher.	Nichols.
Florer.	O'Brien.
Greenwood.	Peddy.
Hartman.	Rogers.
Hawkins.	Spencer of Nolan.
Hill.	Thomason
Jones.	of Nacogdoches.
Lange.	Upchurch.
Lowe	Valentine.
of McMullen.	Wahrmund.
	Woodul.

Absent—Excused.

Blalock.	Monday.
Bland.	Nordhaus.
Brown.	Parks.
Burton of Tarrant.	Poage.
Canales.	Pope.
Cates.	Roemer.
Laney.	Schlesinger.
McCoy.	Tschoepe.
Martin.	Williams
Miller of Austin.	of McLennan.

Question then recurring on the amendment by Mr. Cope, it was adopted.

Mr. Thompson of Hunt offered the following amendment to the resolution:

Amend the resolution by adding at the end of the fourth paragraph of Section 1, immediately following the word "thereunto," the following: "The said central executive committee is hereby authorized to employ an efficiency expert, if deemed necessary, in prosecuting the work herein authorized."

Signed—Yantis, Thompson of Hunt.

Mr. O'Banion moved the previous question on the pending amendment and the resolution, and the main question was ordered.

Question first recurring on the amendment by Mr. Thompson of Hunt, it was lost.

Question then recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—75.

Baker.	Meador.
Beard of Milam.	Mendell.
Beasley.	Metcalf.
Beason.	Morris.
Bedell.	Neill.
Bell.	O'Banion.
Bertram.	Osborne.
Blackmon.	Raiden.
Bryant.	Reeves.
Burton of Rusk.	Richards.
Butler.	Robertson.
Cadenhead.	Russell.
Carlock.	Sackett.
Clark.	Sentell.
Cope.	Schlosshan.
Crudgington.	Scholl.
Davis of Dallas.	Seawright.
Davis of Grimes.	Sholars.
Davis	Smith of Bastrop.
of Van Zandt.	Smith of Hopkins.
De Bogory.	Smith of Scurry.
Dodd.	Stewart.
Dudley.	Strayhorn.
Estes.	Swope.
Fairchild.	Taylor.
Haidusek.	Templeton.
Hardey.	Terrell.
Holaday.	Thomas.
Holland.	Thompson
Hudspeth.	of Hunt.
Johnson.	Tillotson.
Laas.	Tilson.
Lacey.	Tinner.
Lee.	Trayler.
McComb.	Veatch.
McDowra.	White.
McFarland.	Williams
McMillin.	of Brazoria.

Williford.  
Wilson.

Woodul.

Nays—18.

Denton.	Peyton.
Dunnam.	Sallas.
Fitzpatrick.	Spradley.
Fly.	Thomason
Harris.	of Nacogdoches.
Hill.	Thompson
Lanier.	of Red River.
Lindemann.	Walker.
Miller of Dallas.	Yantis.
Moore.	

Present—Not Voting.

Bledsoe.	Spencer of Wise.
Bryan.	Thomason
Cox.	of El Paso.
Murrell.	Woods.

Absent.

Bagby.	Low
Beard of Harris.	of Washington.
Blackburn.	Neeley.
Fisher.	Nichols.
Florer.	O'Brien.
Greenwood.	Peddy.
Hartman.	Pillow.
Hawkins.	Rogers.
Jones.	Spencer of Nolan.
Lange.	Upchurch.
Lowe	Valentine.
of McMullen.	Wahrmund.

Absent—Excused.

Blalock.	Monday.
Bland.	Nordhaus.
Brown.	Parks.
Burton of Tarrant.	Poage.
Canales.	Pope.
Cates.	Roemer.
Laney.	Schlesinger.
McCoy.	Tschoepe.
Martin.	Williams
Miller of Austin.	of McLennan.

Reasons for Votes.

I vote "nay" on the resolution to investigate all the State departments and institutions because of its terms as finally passed. I made an effort to have it laid on the table subject to call, in order to secure concurrent action between the House and the Senate, instead of having two independent committees. Besides, I do not consider this an opportune time, account of pending business in the Senate. I am now, and have been all this session, in favor of a searching investigation, upon a more satisfactory basis.

PEYTON.

We vote "nay" on the resolution because in our humble opinion it calls for



a reckless expenditure of the people's money, and can result in very little good being accomplished. Since investigating this matter, we have come to the conclusion that the investigation, as contemplated by the resolution, will cost the taxpayers of the State many thousands of dollars, which we believe, would pay a much greater dividend, if invested in our public school system.

FITZPATRICK,  
DUNNAM.

Mr. Holaday moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider. The motion to table prevailed.

#### HOUSE BILL NO. 27 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 27, A bill to be entitled "An Act creating the Ben Wheeler Independent School District in Van Zandt county, Texas, defining its metes and bounds, providing for a board of trustees therefor, vesting it with the rights and duties of districts incorporated for school purposes only under the general laws, and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 28 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 28, A bill to be entitled "An Act to create a more efficient road system for Trinity county, Texas, and auxiliary thereto; to provide for the appointment of road overseers; to define the powers and jurisdiction of the commissioners courts of said county with regard thereto; to create the authority of the county road superintendents and to define its duties; and to provide adequate penalties for the violation of the provisions of this act; repealing Chapter 146, passed by the Thirty-fifth Legislature in regular session, creating a special road law for Trinity county, and declaring an emergency."

The bill was read second time and was passed to engrossment.

BILL ORDERED NOT PRINTED.

On motion of Mr. Tillotson, it was ordered that Senate bill No. 7 be not printed.

#### SENATE BILL NO. 7 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 7, A bill to be entitled "An Act to prevent the introduction into the State of Texas of the destructive cotton pest, *Pectinophera gossypiella* Saund., hereinafter referred to as the pink boll worm, and to control and eradicate such insect pest in the event its presence in this State is discovered; creating a zone along the southern and southwestern boundary of the State from which cotton and cotton products may not be transported; providing for the inspection of fields of cotton and for the inspection and general control of cotton produced in an inspection zone; and to provide for the quarantine and control of any territory within the State within which the pink boll worm may be found; providing for an appropriation, and creating an emergency."

The bill was read second time.

Mr. Tillotson offered the following amendment to the bill:

Section 1. There is hereby created a zone along the boundary between the State of Texas and the Republic of Mexico, comprising the counties of El Paso, Hudspeth, Culberson, Jeff Davis, Presidio, Brewster, Terrell, Val Verde, Kinney, Maverick, Webb, Zapata, Starr, Hidalgo, and Cameron, for the purpose of aiding in the prevention of the introduction into this State of the cotton pest, *Pectinophera gossypiella* Saund., hereinafter referred to as the pink boll worm.

Sec. 2. Whenever the Secretary of Agriculture of the United States shall certify to the Governor of this State that the pink boll worm in any of its stages of development, including the egg, larva pupal and adult stages, has been discovered in Mexico within fifty miles of the Texas border, it shall be the duty of the Governor to proclaim that part of the zone established by Section 1 adjacent to the location of the pest and for a distance of not less than fifty miles in such zone along the border of the State a closed zone from which it shall be unlawful to transport any cotton or cotton products to any part of the State from such closed zone embraced in the proclamation of the Governor; provided, however, that it shall be the duty of the Commissioner of Agriculture of Texas to make a thorough inspection of

the cotton fields and cotton and cotton products in such closed zone, and if such investigation determines the fact that there is no pink boll worm in such closed zone and no pink boll worm in any of its stages of development in any territory within the State of Texas or without the United States, and adjacent to said zone and not less than fifty miles from such closed zone, then in such event after such finding of fact by him he shall certify such finding to the Governor, who may by proclamation declare it lawful for cotton grown in such closed zone and its products to be transported from such closed zone under such conditions as may be deemed essential to the protection of the cotton industry of the State.

Sec. 3. At any time the Secretary of Agriculture of the United States shall report the presence of pink boll worm within twenty-five miles of the Texas border, the Governor shall cause a special examination to be made by the Commissioner of Agriculture of this State of the danger of infestation of Texas fields by the pest, and if such report, in the judgment of the Governor, shall justify such action, he shall declare the growing of cotton in the said zone for such distance adjacent to the known location of the pink boll worm as may be deemed necessary to assure the prevention of the introduction of the pest, a public menace, and thereafter it shall be unlawful for any person or persons to grow cotton in such territory so set apart, or to transport any cotton, or its products from such zone to any other point in Texas.

Sec. 4. It shall be the duty of the Commissioner of Agriculture of this State to maintain a rigid inspection of the cotton fields and of the cotton and cotton products in the zone provided for in Section 1 of this act, in such manner as to determine the presence of pink boll worm in all stages of development, and whenever the pest is discovered in such zone the Commissioner shall certify that fact to the Governor of the State, who shall immediately proclaim a quarantine of such territory in the zone, and such territory adjacent thereto, as may be deemed necessary to prevent further advance of the pest into Texas; and thereafter it shall be unlawful for any person or persons to transport cotton, or cotton products of any kind from any territory within the counties in such zone, or the

territory adjacent thereto embraced in such quarantine proclamation, through or to any other part of the State of Texas, or transport any car or vehicle or freight or other article contaminated with cotton seed, or other products of cotton capable of carrying the pink boll worm in any of its stages from the counties embraced in such zone through or to any other point in Texas, unless and until it shall have been freed from cotton seed or other cotton products and shall have been properly fumigated or disinfected in such manner as the Commissioner of Agriculture of this State shall direct. Any and all such fumigation or disinfection and the cost of such protective measures against the spread of the pink boll worm shall be paid by the owners of the cotton or cotton products, or of the car, vehicle, freight or other article employed in the transportation of cotton or its products.

Sec. 5. If the cotton pest known as the pink boll worm in any of its different stages shall be found in the State, and outside the zone provided for in this act, the Commissioner of Agriculture of this State shall immediately certify that fact to the Governor, who shall proclaim a special zone or quarantine district surrounding the known location of the pest to such extent as may be determined sufficient to prevent the spread of the pink boll worm, and it shall be unlawful for any person or persons to ship any cotton or cotton products of any kind from such quarantined district or transport any car or vehicle, or freight, or any other article contaminated with cotton seed, or other cotton product capable of carrying the pink boll worm in any of its stages from the quarantined area through or to any other point in this State, unless and until it shall have been freed from cotton seed or other cotton product, and shall have been fumigated or disinfected in such manner as the Commissioner of Agriculture of this State shall direct. Any and all such fumigation or disinfection and cost of such protective measures against the spread of the pink boll worm shall be paid by the owners of the cotton or its products or by the owners of the car, vehicle or freight or other article employed in its transportation.

Sec. 6. If it shall become necessary in the judgment of the Commissioner of Agriculture of this State to the protection of the cotton industry of Texas, that the Commissioner shall destroy cot-

ton and cotton plants in any field or fields in which the pink boll worm may have been discovered, or in any fields in the vicinity of such infested fields, he shall report such condition and certify a recommendation to that effect to the Governor, who shall thereupon declare such cotton or fields of cotton a public menace, and upon the promulgation of such proclamation the Commissioner of Agriculture shall be empowered to exercise all authority requisite to the complete destruction of such cotton or cotton plants in such field or fields, and it shall be his duty to effect such destruction in such manner as may be deemed essential to the eradication of the pest and to the adequate protection of the cotton industry of this State.

Sec. 7. If it shall be deemed necessary by the Commissioner of Agriculture to the protection of the cotton industry of Texas that the growing of cotton in any quarantined district known to be infested with the pink boll worm, or in any part of such quarantined district, constitutes a certain danger to the cotton industry of the State he shall certify such conclusion to the Governor, who shall thereupon proclaim the growing of cotton in such district a public menace, and thereafter it shall be unlawful to grow cotton in such district for such term of years as the proclamation may designate. The provisions of neither of the sections of this act shall be held to modify the provisions, restrictions and requirements of any other section.

Sec. 8. For the purposes of complying with the requirements of this act in preventing the introduction of the pink boll worm into Texas, or to eradicate the pest if its presence shall be discovered in the State, the Commissioner of Agriculture and his authorized agents shall have power to enter into any field or fields of cotton or upon any premises in which cotton or its products may be stored or held, and may examine any products or container of cotton or its products, or thing or substance liable to be infested with the pink boll worm in any of the stages of its development. For the purpose of effecting the provisions of this act, the Commissioner of Agriculture may employ and prescribe the duties of such inspectors as may be necessary and fix their compensation.

Sec. 9. It shall be the duty of the Commissioner of Agriculture of this State to co-operate with the Secretary

of Agriculture of the United States in any measures authorized and to be undertaken by the Federal government in preventing the introduction of the pink boll worm into the United States through the State of Texas.

Sec. 10. It shall be the duty of any person or persons upon whose premises any pink boll worm shall appear to report the presence of such cotton pest to the Commissioner of Agriculture of this State, and any failure, knowingly, on the part of any such person or persons to make such report promptly shall, upon conviction, subject such person or persons to a fine of not less than one hundred (\$100) dollars and not more than one thousand (\$1000) dollars for each offense. And any person or persons who may know of the presence of the pink boll worm in any locality in the State, and who shall fail to report the location of such pest to the Commissioner of Agriculture shall, upon conviction, be subject to a like fine.

Sec. 11. Any person or persons who may transport any cotton or cotton products by any means from any territory in this State which has been quarantined and placed under restrictions by proclamation of the Governor of the State in accordance with the authority conferred by the conditions of this act, to any part of the State in violation of this act or of either of the proclamations, and restrictions authorized by this act, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in any sum not less than five hundred (\$500) dollars and not more than five thousand (\$5000) dollars, and each transaction or each product so shipped or transported shall constitute a separate offense.

Sec. 12. To defray the expense of this act for the two fiscal years ending August 31, 1918, and August 31, 1919, there is hereby appropriated out of any funds of the State Treasury, not otherwise appropriated, the sum of twenty thousand (\$20,000) dollars, or so much thereof as may be necessary to maintain adequate inspection of the territory designated in this act, and to investigate the probable presence of the pink boll worm in the State, and to establish and maintain adequate quarantine of any infested area that may be discovered within the State. All expense incurred under this act in the enforcement of its provisions shall be paid as are other expenses of a similar char-



acter incurred by the Department of Agriculture of the State.

Sec. 13. The provisions of the several sections of this act shall be construed as cumulative in effect and shall not be held to modify the provisions, restrictions or requirements of other sections; and if any provisions of this act shall be declared by proper judicial action to be unconstitutional, that fact shall not operate to invalidate other provisions.

Sec. 14. The near approach of the close of this Special Session, and the seriousness of the menace to the cotton industry of Texas, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days, should be, and the same is hereby suspended, and that this act take effect from and after its passage, and it is so enacted.

Mr. Tillotson offered the following amendment to the amendment:

Amend the amendment to Senate bill No. 7, page 2, Section 3, line 24, by adding at the end of line 24 the following: Change the period after the word "Texas" to a comma and the words, "so long as such condition of menace to the cotton industry shall be deemed to exist."

The amendment to the amendment was adopted.

Mr. Tillotson offered the following amendment to the amendment:

Amend the amendment to Senate bill No. 7, page 4, line 3, by adding at the end of the section (6) the following: "In the event it shall be found necessary in the accomplishment of the purposes of this act to destroy any field or fields of cotton, the county judge of the county in which such field or fields may be located shall immediately appoint three disinterested citizens whose duty it shall be carefully to examine such fields or field of cotton, and report their conclusions of the value of the cotton in such field or fields to be destroyed to the county judge. Before entering upon the duties required of them, such citizens shall take an oath before some officer legally qualified to administer oaths that they will discharge impartially the duties herein provided for. When the report of the said three citizens shall be filed with the county judge it shall be his duty to transmit the same with his endorsement to the Commissioner of Agriculture of the State, who shall certify to the fact of such field or fields of cotton having been de-

stroyed, in pursuance of the provisions of this act, and he shall then file such report and certificate with the State Comptroller, who shall issue his warrant upon the State Treasurer for such sum as may be declared just and due in such report, which sum shall be paid from any funds in the State Treasury not otherwise appropriated."

The amendment to the amendment was adopted.

Mr. Tillotson offered the following amendment to the amendment:

Amend the amendment to Senate bill No. 7, page 5, Section 7, line 5, by adding after the word "Texas," in line 5, a comma, and the word "and."

The amendment to the amendment was lost.

Mr. Tillotson offered the following amendment to the amendment:

Amend the amendment to Senate bill No. 7, page 4, Section 7, line 13, by striking out all after the word "designate," in lines 13, 14 and 15, to the end of the section.

The amendment to the amendment was adopted.

Mr. Tillotson offered the following amendment to the amendment:

Amend the amendment to Senate bill No. 7, page 4, Section 7, line 13, by adding after the word "designate" a comma in place of the period, and adding the following: "or so long as such condition of menace to the cotton industry shall be deemed to exist."

The amendment to the amendment was adopted.

Mr. Thomas offered the following amendment to the bill:

Amend House bill No. 1 or Senate bill No. 7 by striking out the enacting clause.

The amendment was lost.

Question—Shall the amendment be adopted?

Mr. Miller of Dallas moved that the bill be laid on the table subject to call and that members having amendments to be offered to the bill file them to be printed in the Journal.

The motion prevailed.

The following proposed amendments were filed:

Amend this bill by striking out Section 7 on page 4.

BERTRAM.

Amend this bill by striking out Sections 4 and 5 on pages 2 and 3.

BERTRAM.

Amend Section 11, page 5, by adding after the word "may," in line 1, the word "knowingly."

THOMPSON of Hunt.

Amend the bill by adding immediately next preceding the words, "the Commissioner of Agriculture," wherever said words appear in the bill, the following: "The Agricultural and Mechanical College of Texas, and."

THOMPSON of Hunt.

Amend S. B. No. 7, by striking out all before the enacting clause and substituting the following:

"A bill to be entitled 'An Act to prevent the introduction into the State of Texas of the destructive cotton pest, *Pectinophera gossypiella* Saund, hereinafter referred to as the pink boll worm, and to control and eradicate such insect pest in the event its presence in this State is discovered, creating a zone along the boundary between the State of Texas and the Republic of Mexico, providing for the inspection of fields of cotton and for the inspection and general control of cotton and cotton products produced in such zone; providing for the quarantine of any territory in such zone whenever the pink boll worm in any of its stages shall be discovered within such zone or adjacent thereto in the Republic of Mexico; providing for the quarantine and control of any territory within the State in which the pink boll worm may be found, and for the eradication of the pest, and for compensation for cotton or fields of cotton that may be destroyed under the provisions of the act; providing for an appropriation, and creating an emergency.'"

TILLOTSON.

#### HOUSE BILL NO. 22 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 22, A bill to be entitled "An Act making additional appropriations for the support of the State government for two years, beginning September 1, 1917, and ending August 31, 1919, as follows, to wit: For the salaries of special district judges, for fees and costs of sheriffs, attorneys and clerks in felony cases, for the salary of Assistant Adjutant General and the quartermaster of the Adjutant General's De-

partment, for the salary of the Chief Inspector of Nurseries for the Department of Agriculture, for the salary of the State Revenue Agent, for the salary of the chief clerk of the Game, Fish and Oyster Commissioner's Department, for the salary of the Bacteriologist of the State Health Department, for the salary of the Commissioner of Labor, for the salaries of four inspectors in the Labor Department, for the salaries of two chemists in the Pure Food Department, for the salaries and expenses for collecting fees under the Pure Food Laws, for stamps to be used in the collection of fees in the Pure Food Department, for the salary of the porter in the Attorney General's Department, for the salary of the Commissioner of Insurance and Banking, for the salary of the Superintendent of the State Orphans' Home, for the salaries of twelve non-graduate nurses for the first year at Tuberculosis Sanitarium, for salaries of three assistants to the Inspector of Masonry and for material tests and analysis, long distance telephone, telegraph, express and freight charges and incidentals and traveling expenses for the Department of Inspector of Masonry, and to pay miscellaneous claims, and for other purposes; prescribing certain regulations and restrictions in respect thereto; repealing parts of law heretofore passed making appropriations for the particular items named in this bill, and declaring an emergency."

The bill was read second time.

#### RECESS.

On motion of Mr. Cadenhead, the House, at 11:50 o'clock a. m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

#### HOUSE BILL NO. 22 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 22, making additional appropriations for the support of the State government, on its passage to engrossment.

Mr. Mendell offered the following (committee) amendments to the bill:

Amend House bill No. 22, page 2, by



adding under the head of Department of Agriculture, the following items:

(1)

Expenses for chief in culture and propagation of edible nuts, \$1000—\$1000.

(2)

Expenses for chief in improvement of live stock and dairying, \$1000—\$1000.

(3)

Expenses of plant pathologist, \$1000—\$1000.

(4)

Salary of stenographer for Bureau of Markets, \$1200—\$1200.

(5)

Expenses of nursery inspection, additional, \$2000—\$2000.

(6)

Collecting, compiling, printing and disseminating agricultural information; printing blanks, forms, etc., \$10,000—\$10,000.

(7)

For stationery, postage, telegraph, telephone and express, additional, \$3000—\$3000.

(8)

For payment of claim of A. C. Baldwin & Sons for printing during the fiscal year ending August 31, 1917, \$803.04.

(9)

Amend House bill No. 22 as follows:  
Strike out the first item on page 1, under the heading Judiciary. To pay salaries of special judges for the years ending August 31, 1918-1919, \$6000—\$6000.

(10)

Strike out on page 3 of the bill, "Attorney General's Department to pay salary of porter \$600 each year."

(11)

Add new items: To refund unexpired wholesale liquor license of Anderson & Baggett of Freestone county, 1914, \$185.28.

(12)

To refund unexpired wholesale liquor license of H. F. Trahin, Freestone county, 1914, \$216.90.

(13)

To refund to liquor dealers the proportionate amount of taxes heretofore

paid by them for the unexpired term of their license as retail malt and liquor dealers under all sections and provisions of law authorizing refunds up to August 31, 1919, to be paid by the Comptroller on verified and approved accounts, \$50,000.

(14)

To pay salary of one additional clerk for the State Treasury Department, to be known as the assistant appropriation clerk, \$1200—\$1200.

(15)

Strike out all on page 3 that pertains to the Tuberculosis Sanatorium.

(1)

Amend House bill No. 22 by striking out of the caption all that pertains to the Attorney General's Department.

(2)

Add to the fifth line from the bottom of the caption after the word "Masonry," "salary of one additional clerk to the State Treasury Department."

(3)

Add in line 10 of the caption after the word "Nurseries," "and other specified items."

Mr. Metcalfe moved that the House consider the (committee) amendments amendment by amendment.

The motion prevailed.

(Committee) amendments (1) and (2) were severally adopted.

(Committee) amendment (3) was lost.

Mr. Terrell moved to reconsider the vote by which (committee) amendment (3) was lost.

The motion to reconsider prevailed.

(Committee) amendment (3) was then adopted.

(Committee) amendments (4) and (5) were severally lost.

Mr. Baker moved to reconsider the vote by which the (committee) amendment (5) was lost and to table the motion to reconsider.

The motion to table prevailed.

Mr. Dodd offered the following amendment to (committee) amendment (6):

Amend the amendment by striking out "\$10,000" and inserting "\$5000."

Mr. Raiden offered the following substitute for the amendments:

Substitute for the amendment and amendment to the amendment "\$2500" each year.

The substitute was adopted.  
 (Committee) amendment (6) as substituted was adopted.  
 (Committee) amendments (7), (8), (9), (10), (11), (12), (13) and (14) were severally adopted.  
 (Committee) amendment (15) was lost.  
 (Committee) amendments (1), (2) and (3) to the caption of the bill were severally adopted.

Mr. Terrell offered the following amendment to the (committee) amendments:

Amend committee amendment, page 6, line 38, by adding the following: "To refund wholesale liquor dealers the proportional amount of taxes heretofore paid by them for the unexpired term of the license as wholesale liquor dealers under the provisions of the law authorizing refunds up to August 31, 1919, to be paid by the Comptroller on verified and approved accounts, \$10,000."

The amendment to the committee amendment was adopted.

Mr. Osborne offered the following amendment to the committee amendment:

Amend committee amendment, page 6, line 38, by adding the following: "Provided, no person who contests or contributes to a contest of the result of the election when prohibition carries shall be entitled to any part of such refund."

The amendment to the (committee) amendment was lost.

The committee amendments as amended were then adopted.

Mr. Moore offered the following amendment to the bill:

Amend House bill No. 22, page 4, line 6, by adding after the words "Miscellaneous claims" the following: "To pay claim of R. M. Johnson for services rendered as special district judge for the Third Judicial District, \$180.62."

The amendment was adopted.

Mr. Butler offered the following amendment to the bill:

Amend the printed bill by adding at the end of line 26 on page 2 the following: "This appropriation to pay costs of sheriffs, attorneys and clerks in felony cases is in lieu of an appropriation for like sums made at the First Called Session of the Thirty-fifth Legislature to pay costs of sheriffs and clerks in felony cases, and the appro-

priation so made at said called session is hereby repealed."

The amendment was adopted.

House bill No. 22 was then passed to engrossment.

Mr. Mendell moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 22 ON THIRD READING.

Mr. Mendell moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 22 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—81.

Mr. Speaker.	Morris.
Beard of Milam.	Neeley.
Bedell.	Neill.
Bell.	O'Banion.
Blackmon.	Osborne.
Burton of Rusk.	Peyton.
Butler.	Pillow.
Cadenhead.	Raiden.
Cates.	Reeves.
Clark.	Richards.
Cope.	Russell.
Crudgington.	Sackett.
Davis of Dallas.	Sallas.
Davis of Grimes.	Sentell.
Davis	Schlosshan.
of Van Zandt.	Scholl.
De Bogory.	Seawright.
Denton.	Sholars.
Dudley.	Smith of Bastrop.
Dunnam.	Smith of Hopkins.
Fairchild.	Smith of Scurry.
Fitzpatrick.	Spradley.
Florer.	Stewart.
Fly.	Swope.
Greenwood.	Taylor.
Hardey.	Templeton.
Harris.	Terrell.
Hill.	Thomas.
Holaday.	Thomason
Holland.	of Nacogdoches.
Hudspeth.	Thompson
Lacey.	of Red River.
Lanier.	Tillotson.
Lee.	Tilson.
Lindemann.	Tinner.
McComb.	Traylor.
McDowra.	Tschoepe.
McFarland.	Veatch.
Meador.	Williams
Mendell.	of Brazoria.
Metcalfe.	Williford.
Miller of Dallas.	Wilson.
Moore.	Yantis.

## Nays—7.

Baker.	Laas.
Beasley.	Thompson
Bertram.	of Hunt.
Dodd.	Walker.

## Present—Not Voting.

Bledsoe.	Spencer of Wise.
Bryan.	Thomason
Bryant.	of El Paso.
Haidusek.	White.
McMillin.	Woods.
Murrell.	

## Absent.

Bagby.	Low
Beard of Harris.	of Washington.
Beason.	Nichols.
Blackburn.	O'Brien.
Carlock.	Peddy.
Cox.	Robertson.
Estes.	Rogers.
Fisher.	Spencer of Nolan.
Hartman.	Strayhorn.
Hawkins.	Upchurch.
Johnson.	Valentine.
Jones.	Wahrmund.
Lange.	Woodul.
Lowe	
of McMullen.	

## Absent—Excused.

Blalock.	Monday.
Bland.	Nordhaus.
Brown.	Parks.
Burton of Tarrant.	Poage.
Canales.	Pope.
Laney.	Roemer.
McCoy.	Schlesinger.
Martin.	Williams
Miller of Austin.	of McLennan.

The Speaker then laid House bill No. 22 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll and the bill was passed by the following vote:

## Yeas—82.

Mr. Speaker.	Davis of Grimes.
Beard of Milam.	Davis
Beasley.	of Van Zandt.
Beason.	De Bogory.
Bell.	Denton.
Blackmon.	Dodd.
Burton of Rusk.	Dudley.
Butler.	Dunnam.
Cadenhead.	Estes.
Cates.	Fairchild.
Clark.	Fitzpatrick.
Cope.	Florer.
Crudgington.	Fly.
Davis of Dallas.	Greenwood.

Hardey.	Sallas.
Harris.	Sentell.
Hill.	Schlosshan.
Holland.	Scholl.
Hudspeth.	Seawright.
Lacey.	Sholars.
Lanier.	Smith of Bastrop.
Lee.	Smith of Hopkins.
Lindemann.	Smith of Scurry.
McComb.	Spradley.
McDowra.	Stewart.
McFarland.	Swope.
Meador.	Taylor.
Mendell.	Templeton.
Metcalfe.	Terrell.
Miller of Dallas.	Thomas.
Moore.	Thomason
Morris.	of Nacogdoches.
Neeley.	Tillotson.
Neill.	Tilson.
O'Banion.	Tschoepe.
Osborne.	Veatch.
Peyton.	White.
Pillow.	Williams
Raiden.	of Brazoria.
Reeves.	Williford.
Richards.	Wilson.
Russell.	Yantis.
Sackett.	

## Nays—4.

Baker.	Thompson
Bertram.	of Hunt.
Laas.	

## Present—Not Voting.

Bledsoe.	Murrell.
Bryan.	Spencer of Wise.
Bryant.	Thomason
Haidusek.	of El Paso.
McMillin.	Woods.

## Absent.

Bagby.	Nichols.
Beard of Harris.	O'Brien.
Bedell.	Peddy.
Blackburn.	Robertson.
Carlock.	Rogers.
Cox.	Spencer of Nolan.
Fisher.	Strayhorn.
Hartman.	Thompson
Hawkins.	of Red River.
Holaday.	Tinner.
Johnson.	Trayler.
Jones.	Upchurch.
Lange.	Valentine.
Lowe	Wahrmund.
of McMullen.	Walker.
Low	Woodul.
of Washington.	

## Absent—Excused.

Blalock.	Canales.
Bland.	Laney.
Brown.	McCoy.
Burton of Tarrant.	Martin.

Miller of Austin. Pope.  
Monday. Roemer.  
Nordhaus. Schlesinger.  
Parks. Williams  
Poage. of McLennan.

# MESSAGES FROM THE ACTING GOVERNOR.

Mr. S. Raymond Brooks, private secretary to the Acting Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Acting Governor, which were read to the House:

Governor's Office.

Austin, Texas, September 18, 1917.

To the Thirty-fifth Legislature in Third Called Session:

I submit for the consideration of your honorable body the following subject:

Enactment of a law to regulate the sale of poisons, providing for marking and designating the packages or containers, and for the registration of the name and address of the purchaser, requiring that all records be kept in well bound books, separate from all other records and to be designated "Record of Poison Sales;" designating what poisons are included, and prescribing penalties for violations of such law.

Respectfully submitted.

W. P. HOBBY.

Acting Governor of Texas.

Governor's Office.

Austin, Texas, September 18, 1917.

To the Thirty-fifth Legislature in Third Called Session:

I beg to submit for the consideration of your honorable body the following subject:

Enactment of a law to authorize the commissioners court of Brewster county, Texas, by a majority vote to issue scrip payable from one to twenty years from date, bearing interest at a rate of not to exceed 6 per cent. for the purpose of taking up the present indebtedness of the county incurred for the building of roads and bridges in said county; providing that the yearly net revenue, less the necessary sinking fund to cover said scrip issue, may be used by the commissioners court of said county in repairing and building roads and bridges.

Respectfully submitted.

W. P. HOBBY.

Acting Governor of Texas.

Governor's Office.

Austin, Texas, September 18, 1917.

To the Thirty-fifth Legislature in Third Called Session:

I beg to submit for the consideration of your honorable body the following subject:

Enactment of a law making appropriations for the purpose of paying deficiency warrants and certificates now outstanding or that may hereafter be issued for the payment of fees and per diem to district attorneys and sheriffs for the fiscal years beginning September 1, 1915, and ending August 31, 1917.

Respectfully submitted,

W. P. HOBBY,

Acting Governor of Texas.

# MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, September 18, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

S. B. No. 17, A bill to be entitled "An Act validating the charters and amendments to charters of all cities of more than five thousand inhabitants in this State which have adopted charters, or attempted to adopt or amend charters, since the enactment of Chapter 147, General Laws of the Regular Session of the Thirty-third Legislature, 1913, and validating all proceedings had by city councils or city commissions, or governing authority, in regard to the question of the adoption of charters or amendments thereto, and declaring an emergency."

S. B. No. 6, A bill to be entitled "An Act to further regulate the conducting of fish hatcheries and the propagation of fish in this State by amending Article 4000 of the Revised Civil Statutes of this State, 1911, as amended by Chapter 146 of the Thirty-third Legislature, providing for the distribution by the State fish hatcheries of fish to private persons; providing that the Game, Fish and Oyster Commissioner of the State of Texas, as well as the United States Commissioner of Fisheries, or their duly authorized agents, may take or catch brood fish from the public fresh waters of this State, for the purpose of propagation; according to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatcheries and fish cul-



Miller of Austin. Pope.  
Monday. Roemer.  
Nordhaus. Schlesinger.  
Parks. Williams  
Poage. of McLennan.

# MESSAGES FROM THE ACTING GOVERNOR.

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Governor's Office,  
Austin, Texas, September 18, 1917.

To the Thirty-fifth Legislature in Third Called Session:

I submit for the consideration of your honorable body the following subject:

Enactment of a law to regulate the sale of poisons, providing for marking and designating the packages or containers, and for the registration of the name and address of the purchaser, requiring that all records be kept in well bound books, separate from all other records and to be designated "Record of Poison Sales;" designating what poisons are included, and prescribing penalties for violations of such law.

Respectfully submitted,  
W. P. HOBBY,  
Acting Governor of Texas.

Governor's Office,  
Austin, Texas, September 18, 1917.

To the Thirty-fifth Legislature in Third Called Session:

I beg to submit for the consideration of your honorable body the following subject:

Enactment of a law to authorize the commissioners court of Brewster county, Texas, by a majority vote to issue scrip payable from one to twenty years from date, bearing interest at a rate of not to exceed 6 per cent, for the purpose of taking up the present indebtedness of the county incurred for the building of roads and bridges in said county; providing that the yearly net revenue, less the necessary sinking fund to cover said scrip issue, may be used by the commissioners court of said county in repairing and building roads and bridges.

Respectfully submitted,  
W. P. HOBBY,  
Acting Governor of Texas.

Governor's Office.

Austin, Texas, September 18, 1917.

To the Thirty-fifth Legislature in Third Called Session:

I beg to submit for the consideration of your honorable body the following subject:

Enactment of a law making appropriations for the purpose of paying deficiency warrants and certificates now outstanding or that may hereafter be issued for the payment of fees and per diem to district attorneys and sheriffs for the fiscal years beginning September 1, 1915, and ending August 31, 1917.

Respectfully submitted,  
W. P. HOBBY,  
Acting Governor of Texas.

# MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, September 18, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

S. B. No. 17, A bill to be entitled "An Act validating the charters and amendments to charters of all cities of more than five thousand inhabitants in this State which have adopted charters, or attempted to adopt or amend charters, since the enactment of Chapter 147, General Laws of the Regular Session of the Thirty-third Legislature, 1913, and validating all proceedings had by city councils or city commissions, or governing authority, in regard to the question of the adoption of charters or amendments thereto, and declaring an emergency."

S. B. No. 6, A bill to be entitled "An Act to further regulate the conducting of fish hatcheries and the propagation of fish in this State by amending Article 4000 of the Revised Civil Statutes of this State, 1911, as amended by Chapter 146 of the Thirty-third Legislature, providing for the distribution by the State fish hatcheries of fish to private persons; providing that the Game, Fish and Oyster Commissioner of the State of Texas, as well as the United States Commissioner of Fisheries, or their duly authorized agents, may take or catch brood fish from the public fresh waters of this State, for the purpose of propagation; according to the United States Commissioner of Fisheries and his duly authorized agents the right to conduct fish hatcheries and fish cul-



ture and all operations connected therewith in any manner and at any time that may by them be considered necessary and proper; providing for a closed season on crappie, bass and catfish; prescribing the size of fish that may be taken; providing a penalty for a violation of this statute, and declaring an emergency."

Respectfully,  
JOHN D. McCALL,  
Secretary of the Senate.

#### SENATE BILL ON FIRST READING.

Senate bill No. 17 was laid before the House, read first time, and referred to the Committee on Municipal Corporations.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. O'Banion:

H. B. No. 33, A bill to be entitled "An Act to regulate the sale of poisons, providing for marking and designating the packages or containers, and for the registration of the name and address of the purchaser, requiring that all records be kept in well bound books, separate from all other records to be designated "Record of Poison Sales," designating what poisons are meant, prescribing a penalty for violations of this act, and declaring an emergency."

Referred to Committee on Public Health.

By Mr. McFarland:

H. B. No. 34, A bill to be entitled "An Act to authorize the commissioners court of Brewster county, State of Texas, by a majority vote, to issue scrip payable from one to twenty years from date, bearing interest at a rate not to exceed six per cent; for the purpose of taking up the present indebtedness of the county incurred for the building of roads and bridges in said county; providing that the yearly net revenue, less the necessary sinking fund to cover said scrip issue, may be used by the commissioners court of said county in repairing and building roads and bridges, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

#### SENATE BILL ON FIRST READING.

Senate bill No. 6 was laid before the House, read first time and referred to the Committee on Game and Fisheries.

#### SENATE BILL NO. 14 ON THIRD READING.

The Speaker laid before the House, on its third reading and final pasage,

S. B. No. 14, A bill to be entitled "An Act creating the Rock Island Independent School District as passed by the First Called Session of the Thirty-fifth Legislature."

The bill was read third time.

Mr. Blackmon moved a call of the House for the purpose of maintaining a quorum, and the motion was duly seconded.

The Speaker directed the Doorkeeper to close the main entrance to the Hall and permit no member to leave the Hall without written permission from the Chair, and he instructed the Sergeant-at-Arms to lock all other doors leading out of the Hall.

The Clerk was directed to call the roll and Senate bill No. 14 was passed by the following vote:

Yeas—97.

Mr. Speaker.	Fly.
Baker.	Greenwood.
Beard of Milam.	Haidusek.
Beasley.	Hardey.
Beason.	Harris.
Bedell.	Hill.
Bell.	Holaday.
Bertram.	Holland.
Blackmon.	Hudspeth.
Bledsoe.	Johnson.
Bryan.	Jones.
Bryant.	Laas.
Burton of Rusk.	Lacey.
Butler.	Lanier.
Cadenhead.	Lee.
Carlock.	Lindemann.
Cates.	McComb.
Clark.	McDowra.
Cope.	McFarland.
Crudgington.	McMillin.
Davis of Dallas.	Meador.
Davis of Grimes.	Mendell.
Davis	Metcalfe.
of Van Zandt.	Miller of Dallas.
De Bogory.	Moore.
Dodd.	Morris.
Dudley.	Murrell.
Dunnam.	Neeley.
Estes.	Neill.
Fairchild.	O'Banion.
Fitzpatrick.	Osborne.
Florer.	Peyton.

Pillow.	Thomas.
Raiden.	Thomason
Reeves.	of El Paso.
Richards.	Thomason
Russell.	of Nacogdoches.
Sackett.	Thompson
Sallas.	of Red River.
Sentell.	Tillotson.
Scholl.	Tilson.
Seawright.	Tinner.
Smith of Bastrop.	Trayler.
Smith of Hopkins.	Tschoepe.
Spencer of Wise.	Veatch.
Spradley.	Williams
Stewart.	of Brazoria.
Swope.	Williford.
Taylor.	Wilson.
Templeton.	Woods.
Terrell.	Yantis.

Nays—1.

Thompson of Hunt.

Absent.

Bagby.	Peddy.
Beard of Harris.	Robertson.
Blackburn.	Rogers.
Cox.	Schlosshan.
Denton.	Sholars.
Fisher.	Smith of Scurry.
Hartman.	Spencer of Nolan.
Hawkins.	Strayhorn.
Lange.	Upchurch.
Lowe	Valentine.
of McMullen.	Wahrmund.
Low	Walker.
of Washington.	White.
Nichols.	Woodul.
O'Brien.	

Absent—Excused.

Blalock.	Monday.
Bland.	Nordhaus.
Brown.	Parks.
Burton of Tarrant.	Poage.
Canales.	Pope.
Laney.	Roemer.
McCoy.	Schlesinger.
Martin.	Williams
Miller of Austin.	of McLennan.

HOUSE BILL NO. 24 ON THIRD  
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 24, A bill to be entitled "An Act to amend Article 7235, Title 24, Chapter 6 of the Revised Civil Statutes, State of Texas for 1911, so as to include therein Madison county."

The bill was read third time and was passed.

HOUSE BILL NO. 4 ON THIRD  
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 4, A bill to be entitled "An Act authorizing counties acting through their commissioners courts to purchase seeds to be planted on farms in such counties by residents thereof who are poor and unable to procure same and to purchase feed for the work stock of such residents, and prescribing the terms and conditions, rules and regulations by which such seeds and feed will be furnished said residents of the counties who are poor and unable to procure the same and prescribing the amount thereof which may be furnished; authorizing counties to use their general funds for this purpose, where they have such funds; authorizing them to issue warrants against such funds if such counties will have the same when the taxes for the year 1918 are collected; authorizing counties of the State to issue bonds under Title 18, Chapter 1, of the Revised Civil Statutes for the purpose of obtaining funds to be used as aforesaid; prescribing when the commissioners court shall submit the question for the issuance of bonds, the limitations thereof, and making the title and chapter above mentioned applicable to this act; providing how the proceeds of such bonds shall be handled; conferring certain powers and prescribing certain duties relative to administration of this act on the commissioners courts and the county clerks of the various counties of the State; defining the terms of the application and the contract by which residents of the counties acting within the purview of this act may obtain seed and feed thereunder, and providing for the payment thereof by such persons; conferring certain powers and authority upon the county treasurer and the county attorney relative to the administration of this act; providing the terms and conditions upon which the State will advance certain amounts to the various counties of the State to augment the funds provided for the purchase of seeds and feed, and the distribution of the same hereunder; stating the percentage of the amount which the State will advance, and the terms and conditions thereof; prescribing certain duties for the Commissioner of Agriculture, the State Treasurer, the Comp-

troller of Public Accounts, and the Attorney General of the State of Texas, relative to the administration of this act; providing for the repayment to the State of funds advanced by it; defining and creating certain offenses for violations of the terms of this act, and providing punishment therefor; stating when operation may be commenced under this act and when the distribution of seed and feed hereunder shall cease; making an appropriation for carrying out the purposes of this act in the sum of five thousand (\$5000) dollars, and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—90.

Mr. Speaker.	McMillin.
Baker.	Meador.
Beard of Milam.	Mendell.
Beasley.	Metcalfe.
Beason.	Miller of Dallas.
Bedell.	Moore.
Bell.	Morris.
Blackmon.	Neeley.
Bryan.	Neill.
Bryant.	O'Banion.
Burton of Rusk.	Osborne.
Cadenhead.	Peyton.
Carlock.	Pillow.
Cates.	Raiden.
Clark.	Reeves.
Cope.	Richards.
Crudgington.	Russell.
Davis of Dallas.	Sackett.
Davis of Grimes.	Sallas.
Davis	Sentell.
of Van Zandt.	Schlosshan.
De Bogory.	Scholl.
Denton.	Seawright.
Dodd.	Sholars.
Dudley.	Smith of Bastrop.
Estes.	Smith of Hopkins.
Fairchild.	Smith of Scurry.
Fitzpatrick.	Stewart.
Florer.	Swope.
Fly.	Taylor.
Greenwood.	Templeton.
Haidusek.	Terrell.
Hardey.	Thomas.
Holaday.	Thomason
Holland.	of El Paso.
Hudspeth.	Thomason
Johnson.	of Nacogdoches.
Jones.	Thompson
Laas.	of Red River.
Lanier.	Tillotson.
Lindemann.	Tilson.
McComb.	Tinner.
McDowra.	Trayler.
McFarland.	Tschoepe.

Veatch.  
White.  
Williams  
of Brazoria.

Williford.  
Wilson.  
Yantis.

Nays—5.

Bertram.  
Butler.  
Dunnam.

Lacey.  
Thompson  
of Hunt.

Present—Not Voting.

Bledsoe.  
Murrell.  
Spencer of Wise.

Spradley.  
Woods.

Absent.

Bagby.  
Beard of Harris.  
Blackburn.  
Cox.  
Fisher.  
Harris.  
Hartman.  
Hawkins.  
Hill.  
Lange.  
Lee.  
Lowe  
of McMullen.  
Low  
of Washington.

Nichols.  
O'Brien.  
Peddy.  
Robertson.  
Rogers.  
Spencer of Nolan.  
Strayhorn.  
Upchurch.  
Valentine.  
Wahrmund.  
Walker.  
Woodul.

Absent—Excused.

Blalock.  
Bland.  
Brown.  
Burton of Tarrant.  
Canales.  
Laney.  
McCoy.  
Martin.  
Miller of Austin.

Monday.  
Nordhaus.  
Parks.  
Poage.  
Pope.  
Roemer.  
Schlesinger.  
Williams  
of McLennan.

#### SENATE BILL NO. 10 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 10, A bill to be entitled "An Act to amend Chapter 42 of the General and Special Laws of the First Called Session of the Thirty-fifth Legislature, relating to the State Institution for the Training of Juveniles, as found on pages 92 and 93 of the laws of the First Called Session of the Thirty-fifth Legislature."

The bill was read second time and was passed to a third reading.

#### SENATE BILL NO. 11 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 11, A bill to be entitled "An Act to regulate the business of emigrant agents, and declaring an emergency."

The bill was read second time.

On motion of Mr. Beason, further consideration of the bill was postponed until 10 o'clock a. m. tomorrow.

#### SENATE BILL NO. 13 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 13, A bill to be entitled "An Act to establish and maintain at the Ferguson State Farm, in Madison county, or the Shaw State Farm in Bowie county, or State Farm in Brazoria county, Texas, a school for the education and training of delinquent and incorrigible negro boys, to be named and known as the State Training School for Negro Boys, etc., and declaring an emergency."

The bill was read second time and was passed to a third reading.

#### TO PAY POSTOFFICE BOX RENT.

Mr. Cope offered the following resolution:

Resolved, That the Committee on Contingent Expenses be and is hereby authorized to pay the postoffice box rents for one month for each member of the House who is using a postoffice box at Capitol station postoffice this session, and who were not included in the number paid for during the Second Called Session of the Thirty-fifth Legislature, and that the same be paid out of the contingent expense fund.

The resolution was read second time and was adopted.

#### APPOINTMENT OF PAGE ANNOUNCED.

The Speaker announced the appointment of Roy Burns as page in lieu of Wilson Davis, resigned.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Metcalfe, it was ordered that Senate bill No. 9 be not printed.

On motion of Mr. McFarland, it was ordered that House bill No. 34 be not printed.

#### ADJOURNMENT.

Mr. Bryant moved that the House adjourn until 10 o'clock a. m. tomorrow.

Mr. Beason moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

The motion of Mr. Bryant prevailed, and the House, accordingly, at 4:05 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

#### APPENDIX.

#### REPORT OF JUDICIARY COMMITTEE.

Committee Room,

Austin, Texas, September 18, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Judiciary Committee, to whom was referred House bill No. 20, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Fitzpatrick has been appointed to make a full report thereon.

BRYANT, Chairman.

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, September 18, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 24, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99, General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include Madison county, and declaring an emergency."

And find the same correctly engrossed.

DENTON, Chairman.

Committee Room,

Austin, Texas, September 18, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared



H. B. No. 4, A bill to be entitled "An Act authorizing counties acting through their commissioners courts to purchase seeds to be planted on farms in such counties by residents thereof who are poor and unable to procure same and to purchase feed for the work stock of such residents, and prescribing the terms and conditions, rules and regulations by which such seeds and feed will be furnished said residents of the counties who are poor and unable to procure the same, and prescribing the amount thereof which may be furnished; authorizing counties to use their general funds for this purpose, where they have such funds; authorizing them to issue warrants against such funds if such counties will have the same when the taxes for the year 1918 are collected; authorizing counties of the State to issue bonds under Title 18, Chapter 1, of the Revised Civil Statutes for the purpose of obtaining funds to be used as aforesaid; prescribing when the commissioners court shall submit the question for the issuance of bonds, the limitations thereof, and making the title and chapter above mentioned applicable to this act; providing how the proceeds of such bonds shall be handled; conferring certain powers and prescribing certain duties relative to administration of this act on the commissioners courts and the county clerks of the various counties of the State; defining the terms of the application and the contract by which residents of the counties acting within the purview of this act may obtain seed and feed thereunder, and providing for the payment thereof by such persons; conferring certain powers and authority upon the county treasurer and the county attorney relative to the administration of this act; providing the terms and conditions upon which the State will advance certain amounts to the various counties of the State to augment the funds provided for the purchase of seeds and feed, and the distribution of the same hereunder; stating the percentage of the amount which the State will advance, and the terms and conditions thereof; prescribing certain duties for the Commissioner of Agriculture, the State Treasurer, the Comptroller of Public Accounts, and the Attorney General of the State of Texas, relative to the administration of this act; providing for the repayment to the State of funds advanced by it; defining

and creating certain offenses for violations of the terms of this act, and providing punishment therefor; stating when operation may be commenced under this act and when the distribution of seed and feed hereunder shall cease; making an appropriation for carrying out the purposes of this act in the sum of five thousand (\$5000) dollars, and declaring an emergency."

And find the same correctly engrossed.  
DENTON, Chairman.

#### REPORT OF THE COMMITTEE ON APPROPRIATIONS.

Committee, Room,  
Austin, Texas, September 18, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Appropriations, to whom was referred House bill No. 32, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Thomas has been appointed to make a full report thereon.

PEYTON, Chairman.

#### EIGHTEENTH DAY.

(Wednesday, September 19, 1917.)

The House met at 10 o'clock a. m., pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Mr. Speaker.	Davis of Dallas.
Bagby.	Davis of Grimes.
Baker.	Davis
Beard of Milam.	of Van Zandt.
Beasley.	De Bogory.
Beason.	Dodd.
Bedell.	Dudley.
Bell.	Estes.
Bertram.	Fairchild.
Blackburn.	Fisher.
Blackmon.	Fitzpatrick.
Bledsoe.	Fly.
Bryan.	Greenwood.
Bryant.	Haidusek.
Burton of Rusk.	Hardey.
Butler.	Harris.
Cadenhead.	Hill.
Carlock.	Holaday.
Clark.	Holland.
Cope.	Hudspeth.
Cox.	Johnson.
Crudgington.	Jones.